

SN. 09/615,243

ATTORNEY DOCKET NO. CANO:009

REMARKS

Claims 1-30 remain pending in this application for which applicant seeks reconsideration.

Amendment

Independent claims 1, 8, and 15 have been amended to further define that the identifiers are independent of the display order of the records in the list and that the assigned identifiers are displayed at the selected records in the displayed list when the identifiers are assigned. Further, the preamble of claims 8-14 has been amended to include the language "computer-implemented" to overcome the § 101 rejection.

§ 101 Rejection

Claims 8-14 were rejected under 35 U.S.C. § 101 because the examiner deems that the system does not carry any implicit meaning of a tangible piece of hardware. Although claims 8-14 have been amended to include the language "computer-implemented" to overcome this rejection, applicant traverses this rejection because it is facially improper. Claim 8 is an apparatus claim that uses "means-plus-function" limitations, which means that these limitation must be read in light of the corresponding structure/material described in the specification and equivalents thereof – hence calling for a tangible product. Moreover, applicant takes Official Notice that it is improper to apply a § 101 rejection to a claim drawn to a tangible product.

Art Rejection

Claims 1-30 remain rejected under 35 U.S.C. § 103(a) as unpatentable over Hutchings (USP 5,940,813) in view of Judge (program code found at <http://www.comp.nus.edu.sg/~xuedamin/programs/204/doc.txt>). Applicant again traverses this rejection at least because Hutchings does not teach assigning identifiers as set forth in claims 1, 8, and 15.

In rejecting independent claims 1, 8, and 15, the examiner continues to believe that Hutchings discloses all of the claimed elements except for displaying the list or queue. The examiner relies on Judge for the proposition that displaying the queue would have been obvious. Applicant disagrees with the examiner assessment of Hutchings for the following reasons.

Hutchings discloses a PFM system 12 for processing mortgage payments and other types of batch data via on-line. Hutchings' system 12 includes a transaction handler 31, a

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transaction mover 32, and a transaction router 33. The handler 31 determines when data is available for processing within the PFM system 12. The handler 31 activates the transaction mover 32 at intervals specified by the temporary storage queue stored in the handler mover control interface file 52. After the mover 32 is activated, the mover 32 reads mover queue records, which contain information for determining, inter alia, the order in which the temporary queue files will be processed. The mover 32 internally sorts these files in a table based on priority codes, with the files having lower priority code numbers being processed before the files with the higher priority code number. See column 9, lines 13-23.

A transaction handler message device 54 displays, on an input/output device 72, any error encountered during the processing, such as in the handler 31, the mover 32, or the router 33. Errors are stored on the router mover error file 53 and displayed starting at the beginning of the file. See column 16, lines 56-61.

Claims 1, 8, and 15 call for displaying a list having the records concerning the files of documents, assigning identifiers to a plurality of records selected from the records in the displayed list, and executing processing on the selected records to which the identifiers are assigned, in the processing order indicated by the respective priorities of the identifiers. The identifiers have respective priorities that indicate the processing order in which the files are to be processed. Moreover, the assigned identifiers **are independent of the display order** of the records in the list and **are displayed at the selected records in the displayed list when the identifiers are assigned**.

This enables a plurality of documents provided with identifiers having respective priorities to be collectively subjected to processing operations according to the order of priority, making it possible to positively set the order of files to be subjected to a collective processing operation, before executing it, while enabling the users to confirm the processing order from the displayed play list. Hutchings merely discloses displaying errors encountered during the processing, starting at the beginning of the file. Note that Hutchings does not disclose or teach assigning identifiers to a plurality of records selected from the records in the displayed list, particularly where the identifiers have priorities independent of the display order of records in the list when the identifiers are assigned.

Judge merely discloses displaying the contents of stack/queue without modifying it. Judge does not disclose or teach displaying assigned identifiers at the selected records in the displayed list when the identifiers are assigned. As Judge fails to alleviate Hutchings' shortcomings, even if the combination were deemed proper, the combination would not have taught the invention set forth in claims 1, 8, and 15.

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Conclusion

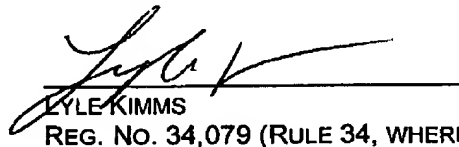
Applicant submits that claims 1-30 patentably distinguish over the applied references and are in condition for allowance. Should the examiner have any issues concerning this reply or any other outstanding issues remaining in this application, applicant urges the examiner to contact the undersigned to expedite prosecution.

Respectfully submitted,

ROSSI, KIMMS &amp; McDOWELL LLP

25 OCTOBER 2005

DATE

  
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LYLE KIMMS

REG. NO. 34,079 (RULE 34, WHERE APPLICABLE)

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